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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,385	09/15/2004	Bodgan Radu	MASL/58	5384

37690 7590 06/27/2006

WOOD, HERRON & EVANS, LLP (LEAR)  
2700 CAREW TOWER  
441 VINE STREET  
CINCINNATI, OH 45202

EXAMINER

FRIEDHOFFER, MICHAEL A

ART UNIT	PAPER NUMBER
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2832

DATE MAILED: 06/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/711,385

Applicant(s)

RADU, BODGAN

Examiner

Michael A. Friedhofer

Art Unit

2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 6-9 is/are rejected.
- 7) ☒ Claim(s) 2-5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                    |                                                                             |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.                                                |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/06, 5/06, 6/06</u> .                                                    | 6) <input type="checkbox"/> Other: ____.                                    |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over McAndrew et al in view of Herring.

McAndrew et al discloses in figures 1-4 an automotive component for a vehicle door including a door trim panel 10 capable of being mounted to the vehicle door. The door trim panel includes a switch panel 70 carrying at least one first electrical switch and a flip cover 40 carrying more switches and being pivotally attached to the switch panel. The flip cover having an opened position in which the first electrical switch is accessible and a closed position in which the first electrical switch is inaccessible. The trim panel is mounted to arm rest 14.

McAndrew et al does not disclose an electroluminescent lamp mounted to the flip cover, such that, when the lamp illuminates the first switch when the flip cover is in the opened position.

Herring teaches lighting for consoles in which the flip cover 22 has a lamp mounted thereto, such that, the inside of the console is illuminated when the flip cover is in the open position.

It would have been obvious to one of ordinary skill in the art to mount a lamp in the flip cover such that when the cover is opened the switches in the console are illuminated by the lamp because this is for purpose of ensuring that the proper switch is operated when the car is darkened.

3. Claims 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over McAndrew et al in view of Herring as applied to claims 1 and 7 above, and further in view of Centofante.

McAndrew et al as modified by Herring teaches all of the claimed limitations with the exception of molding the lamp into the flip cover.

Centofante teaches a molding process for molding lamp or LEDs into components by forming a mold cavity with the components and leds located therein and then injecting a molten polymer resin through the gate in the mold sections to fill a portion of the mold cavity unfilled by the electroluminescent lamp and then opening the mold sections after the resin solidifies and ejecting the component from the mold.

It would have been obvious to one of ordinary skill in the art to apply the teachings of Centofante to McAndrew et al as modified by Herring to utilize injection molding to mold the lamp into the flip cover because the purpose of mounting and illumination would not be altered and the molding of plastic or resin articles, such as those forming the flip cover of McAndrew et al is well known in the art due to its reduction in parts and manufacturing steps and the great number of shapes into which it can be molded.

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4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over McAndrew et al as modified by Herring and Centofante as applied to claims 1 and 6-8 above, and further in view of Priesemuth.

McAndrew et al as modified by Herring and Centofante teach all of the claimed limitations with the exception of shaping the component after ejection from the mold to define a final shape of the flip panel.

Priesemuth teaches the shaping of the component after it has been ejected from the mold for the purpose of creating indicia or forming a final shape.

It would have been obvious to one of ordinary skill in the art to apply the teachings of Priesemuth to McAndrew et al as modified by Herring and Centofante to further shape the molded flip cover for the purpose of ensuring the proper fit of the cover in the console and allows for a more universal cover which may be altered to its final shape depending upon the shape of the console and armrest to which it is mounted.

5. Claims 2-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Response to Arguments***


6. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael A. Friedhofer whose telephone number is 571-272-1992. The examiner can normally be reached on Mon-Fri 6:00 - 2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Michael A. Friedhofer  
Primary Examiner  
Art Unit 2832

maf